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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,085	12/06/2001	Keiichi Hayashi	SON-0522US	5330

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EXAMINER	
BAUTISTA, XIOMARA L	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/003,085	HAYASHI, KEIICHI	
	Examiner	Art Unit	
	X L Bautista	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-9,13-15,17-21,23 and 24* is/are rejected.

7)☐ Claim(s) *4,5,10-12,16 and 22* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/16/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 7, 13 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by *Evans et al* (US 6,650,889 B1).**

Claims 1, 7 and 19:

Evans discloses a mobile handset (PDA or mobile handset) for use in a mobile communications system having, a user interface and a browser application to interpret a multimedia document received from a remote server (abstract; col. 4, lines 33-37, 50-54). Evans teaches a client terminal 2, a communications network 4, a web server 7, a user interface 8, and a web browser 10 (col. 4, lines 15-37). Evans explains that multimedia documents may be downloaded through a communication line to the portable device (col. 2, lines 50-65; col. 3, lines 10-20; col. 10, lines 33-65). Evans teaches image information having image data (col. 5, lines 20-30). Evans teaches storage for storing the downloaded image information (col. 1, lines 58-66; col. 2, lines 55-63; col. 5, lines 46-55; col. 8, lines 33-40). Evans teaches a display screen for

displaying image data on the basis of display sequence information (col. 3, lines 10-18; col. 6, lines 1-5; col. 8, lines 41-46).

Claim 13:

See claim 1. Evans teaches image manipulation including rotation (col. 9, line 62-co. 10, line 7).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2, 3, 6, 8, 9, 14, 15, 17, 18, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Evans* and *Shiimori* (US 6,567,983 B1).

Claims 2, 8, 14 and 20:

See claim 1. Evans teaches that image data and display sequence information is downloaded from the web server with the image information (col. 3, lines 1-59). Evans teaches images that are referenced by names (title; col. 9, lines 6-8); a scaling factor is specified (data size; col. 8, lines 44-46); a defined number of images (image count; col. 9, lines 41-43); display setting and display sequence information (col. 8, lines 34-42); and image manipulation (controlled image; col. 9, lines 62-64). Evans but does not specifically teach that image information comprises data of background image. However, Shiimori discloses a system for producing and viewing an electronic album having a plurality of frame images. The system allows editing the frame images, and when editing a frame image, object data that represents a background image

and other data are transmitted from the server to the client computer (abstract; col. 1, lines 30-64; col. 6, lines 29-43, 64-67; col. 7, lines 15-21). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Shiimori's teaching of background image data in Evans's system for communicating multimedia documents because the system enables manipulation of displayed images, such as image rotation, which suggests the computer uses data of the background image to control the angle of rotation of the controlled image with respect to the background image.

Claims 3, 9, 15 and 21:

Evans does not teach display sequence information comprising sequence start information and sequence end information. However, Shiimori discloses a system for producing and viewing an electronic album having frame image specific data for

specifying a plurality of frame images and display order data representing the order (sequence, start, end) in which the frame images are displayed (abstract; col. 1, lines 35-45, 53-64).

Claims 6, 18 and 24:

See claim 1. Evans teaches display setting means for making different image information correspond to respective functions (col. 8, lines 33-67; col. 9, lines 62-67; col. 10, lines 1-67).

Claims 17 and 23:

Evans teaches sound generation for generating a sound when manipulating an image (col. 3, lines 3-5, 21-34, 46-52; col. 4, lines 24-26, 33-44; col. 5, lines 5-30; col. 10, lines 33-67).

Allowable Subject Matter

6. Claims 4, 5, 10-12, 16 and 22 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record fails to teach sequence control information having image switching time information for setting a controlled image switching time; image inversion display information for setting inversion display of a controlled image; and erase/non-erase information for setting whether to erase a controlled image upon switching of the display of the controlled image

Evans (US 6,650,889 B1) discloses a mobile handset having a user interface and a browser application to interpret a multimedia document received from a remote server. Evans teaches sequence display information having display position information (image display coordinates); and image manipulation using a rotate command but fails to teach or suggest that the sequence control information also includes image switching time information, image inversion display information, and erase/non-erase information for erasing a controlled image upon switching of the display.

Shiraishi et al (US 6,621,508 B1) discloses a method for acquiring image information constituted by image data from a web server through a communication line; timing means for keeping the current time and a second control unit that performs sequential updating processing of the display screen based on the time information based on the time information of the timing means; display position information; and image rotation. Shiraishi fails to teach or suggest sequence control information having image switching time information, image inversion display information, and erase/non-erase information for erasing a controlled image upon switching of the display.

Shiimori (US 6,567,983 B1) discloses an electronic album system having a server and multiple

client computers capable of communicating with each other, and an electronic album in at least one client computer; the electronic album is used in a network through which the client and the server communicate with each other; wherein the album can be viewed by the users utilizing the other client computers. Shiimori teaches image control but fails to teach or suggest sequence control information having image switching time information, image inversion display information, erase/non-erase information for erasing a controlled image upon switching of the display; image tilt information and image inversion display information.

Martinez et al (US 6,137,468) discloses a method for altering the display of an object on a display device in a data processing system in response to changes in the attitude of the device, which are detected relative to a reference plane, such as change in orientation. Martinez teaches the system has a computer, which may be a personal computer, a laptop or a hand-held computer. Martinez teaches image tilting and image rotation but fails to teach or suggest sequence control information having image switching time information, image inversion display information, and erase/non-erase information for erasing a controlled image upon switching of the display.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (7571) 272-4136. The fax phone number for the organization where this

application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

X L Bautista
Primary Examiner
Art Unit 2179

xlb
May 9, 2005